

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

BRIAN J. STRETCH (CSBN 163973)
Chief, Criminal Division

ARVON J. PERTEET (CSBN 242828)
Special Assistant United States Attorney

450 Golden Gate Avenue, 11th Floor
San Francisco, CA 94102
Telephone: 415.436.6598
Facsimile: 415.436.7234
[Email:arvon.perteet@usdoj.gov](mailto:arvon.perteet@usdoj.gov)

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
\$115,959.00 IN UNITED STATES)
CURRENCY; and)
)
\$14,509.00 IN UNITED STATES)
CURRENCY,)
)
Defendants.)
_____)

No. CV 09-6071 JSW

**STIPULATION TO STAY PROCEEDING
PURSUANT TO 18 U.S.C. § 981(g)
AND ORDER THEREON**

1. IT IS HEREBY STIPULATED by and between Plaintiff UNITED STATES OF AMERICA and Claimant ANNIE DUONG, through her counsel, that this matter be stayed pursuant to 18 U.S.C. § 981(g) and 21 U.S.C. § 881(i).

2. There exists a related state criminal investigation of this matter in Contra Costa County. The issues in that investigation are related to this forfeiture proceeding.

3. If this case were to proceed, claimant's and other parties' Fifth Amendment rights against self-incrimination will be burdened in the related criminal investigation.

4. The provisions of 18 U.S.C. § 981(g)(1), related to stays of civil forfeiture proceedings, provide that "[U]pon the motion of a of the United States, the court shall stay the civil forfeiture proceeding if the court determines that civil discovery will adversely affect the ability of the Government to conduct a related criminal investigation or the prosecution of a related case."

5. Pursuant to the above representations, and the provisions of 18 U.S.C. § 981(g)(1), the parties hereby stipulate and agree to stay this civil forfeiture proceeding relating to Defendants \$115,959.00 in United States Currency; and \$14,509.00 in United States Currency until the completion of the criminal investigation in Contra Costa County or until such earlier time as either party, or this Court, may request that the matter be heard.

6. The parties thus request that the matter be stayed for a period of 120 days and that any pending deadlines or assigned dates also be stayed and vacated.

7. The parties further stipulate and agree that they request this Court also take off calendar the presently scheduled Case Management Conference of 16 April 2010, at 1:30 p.m.

IT IS SO STIPULATED:

Dated: April 6, 2010

JOSEPH P. RUSSONIELLO

United States Attorney

/S/ ARVON J. PERTEET

ARVON J. PERTEET

Special Assistant United States Attorney

Attorney for the United States of America

Dated: April 6, 2010

/S/ STUART HANLON

STUART HANLON

Attorney for Claimant Annie Duong

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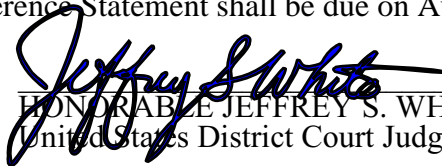
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~~[PROPOSED]~~ ORDER

IT IS SO ORDERED on this 8th day of April, 2010, pursuant to the foregoing stipulation, that this civil forfeiture proceeding be stayed ~~6 months, or this Court, may request that the matter be heard.~~ for 120 days, unless the parties seek a further extension.

IT IS FURTHER ORDERED that the presently scheduled Case Management Conference of April 16, 2010 at 2:30 p.m. is hereby taken off calendar.

It is FURTHER ORDERED that this matter shall be set for a status conference on August 27, 2010 at 1:30 p.m. A Joint Status Conference Statement shall be due on August 20, 2010.


HONORABLE JEFFREY S. WHITE
United States District Court Judge